

# **Exhibit 2**

**From:** [Jeffrey Greenbaum](#)  
**To:** [Wohlforth, E. Evans](#); [LoBiondo, George \(x2008\)](#); [Mangi, Adeel A. \(x2563\)](#); [Sandick, Harry \(x2723\)](#); [Arrow, Sara \(x2031\)](#); [Katherine Lieb](#); [\\_cg J&J-SaveOn](#)  
**Cc:** [Philippe Selendy](#); [Andrew Dunlap](#); [Meredith Nelson](#); [Matthew Nussbaum](#); [Elizabeth Snow](#); [Galli, Sabrina M.](#)  
**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)-Motions For Leave to Amend and to Unseal  
**Date:** Wednesday, March 20, 2024 11:31:31 AM

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Evans:

Thank you for your response setting forth your position that you will oppose both our motion for leave to amend and to unseal. We will so advise the Court.

As to the proposed motion by ESI and Accredo to intervene, I did learn about their request, although their counsel did not copy me on that request. We cannot consent. ESI and Accredo are not parties and have no standing to be heard on the motion for leave to amend. Once added to the case, they can of course make whatever motions that are authorized that they deem appropriate. As to the motion to unseal, again ESI has no standing to be heard, and Accredo can only be heard on the limited issue involving its few documents implicated in the draft pleading.

As to your proposed schedule, as you know, the rules do not permit surreplies, nor do we think one should be allowed on these simple motions. As to the other dates you propose, they are contrary to the briefing schedule already ordered by Judge Wolfson. She directed the parties to brief the motions on the normal schedule applicable by the local rules. As you know, under those rules, your response is due April 1 and our reply is due April 8. This schedule provides more time than normal under a usual 24-day motion cycle as we were required to file on March 14, 2024 and the next motion date was not until April 15, 2024, giving you more than the usual 10 days to respond. In view of the Court's prior direction setting the briefing schedule, and the very liberal standard applicable to motions for leave to amend, we don't see why more time would be needed here. In addition, it is important to have these motions resolved as soon as possible so that all parties are at the table without any further delay. Accordingly, we would like to stay with the schedule set by Judge Wolfson and decline to agree to any further extension. We further note that your proposed schedule requires responses in the middle of religious

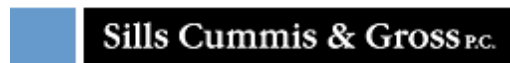
holidays, possibly causing even further delay, and the Court directed schedule avoids all those conflicts.

Best,

Jeff

**Jeffrey J. Greenbaum**

Member



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**From:** Wohlforth, E. Evans <EWohlforth@rc.com>

**Sent:** Tuesday, March 19, 2024 7:35 PM

**To:** Jeffrey Greenbaum <JGREENBAUM@sillscummis.com>; LoBiondo, George (x2008) <globiondo@pbwt.com>; Mangi, Adeel A. (x2563) <aamangi@pbwt.com>; Sandick, Harry (x2723) <hsandick@pbwt.com>; Arrow, Sara (x2031) <sarrow@pbwt.com>; Katherine Lieb <klieb@sillscummis.com>; \_cg J&J-SaveOn <JJSaveOn@pbwt.com>

**Cc:** Philippe Selendy <pselendy@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Matthew Nussbaum <mnussbaum@selendygay.com>; Elizabeth Snow <esnow@selendygay.com>; Galli, Sabrina M. <SGalli@rc.com>

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)-Motions For Leave to Amend and to Unseal

**\*\*\* External Email \*\*\***

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Jeff and Counsel:

We write regarding J&J's recently-filed motion for leave to file an amended complaint and its accompanying motion to unseal.

SaveOn intends to oppose both motions.

As you know, ESI and Accredo—which J&J named as new defendants in its proposed amended complaint—intend to move to intervene in this case. SaveOn has consented to that motion. Our understanding is that, if the motion is granted, that ESI and Accredo also intend to oppose J&J’s motions.

We propose that the parties agree on the following schedule: (1) SaveOn’s oppositions would be due on April 11, 2024; (2) J&J’s reply would be due on April 25, 2024; and (3) SaveOn’s sur-reply would be due on May 9, 2024. We further propose that the parties agree that, if ESI and Accredo’s motion to intervene is granted, the briefing on their oppositions to J&J’s motion proceed on the same schedule.

Please let us know if you consent.

Best regards, Evans

**E. Evans Wohlforth Jr.**

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**From:** Jeffrey Greenbaum <[JGREENBAUM@sillscummis.com](mailto:JGREENBAUM@sillscummis.com)>

**Sent:** Tuesday, March 19, 2024 3:19 PM

**To:** Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>; LoBiondo, George (x2008) <[globiondo@pbwt.com](mailto:globiondo@pbwt.com)>; Mangi, Adeel A. (x2563) <[aamangi@pbwt.com](mailto:aamangi@pbwt.com)>; Sandick, Harry (x2723) <[hsandick@pbwt.com](mailto:hsandick@pbwt.com)>; Arrow, Sara (x2031) <[sarrow@pbwt.com](mailto:sarrow@pbwt.com)>; Katherine Lieb <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; \_cg J&J-SaveOn <[JJSaveOn@pbwt.com](mailto:JJSaveOn@pbwt.com)>

**Cc:** Philippe Selendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; Andrew Dunlap <[adunlap@selendygay.com](mailto:adunlap@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Matthew Nussbaum <[mnussbaum@selendygay.com](mailto:mnussbaum@selendygay.com)>; Elizabeth Snow <[esnow@selendygay.com](mailto:esnow@selendygay.com)>; Galli, Sabrina M. <[SGalli@rc.com](mailto:SGalli@rc.com)>

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)-Motions For Leave to Amend and to Unseal



**CAUTION:****EXTERNAL EMAIL**

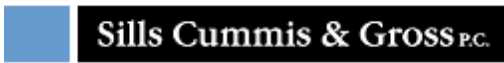
Evans:

Can we have your position today please?

Jeff

**Jeffrey J. Greenbaum**

Member



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**From:** Jeffrey Greenbaum

**Sent:** Monday, March 18, 2024 11:23 AM

**To:** Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>; LoBiondo, George (x2008) <[globiondo@pbwt.com](mailto:globiondo@pbwt.com)>; Mangi, Adeel A. (x2563) <[aamangi@pbwt.com](mailto:aamangi@pbwt.com)>; Sandick, Harry (x2723) <[hsandick@pbwt.com](mailto:hsandick@pbwt.com)>; Arrow, Sara (x2031) <[sarrow@pbwt.com](mailto:sarrow@pbwt.com)>; Katherine Lieb <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; \_cg J&J-SaveOn <[JJSaveOn@pbwt.com](mailto:JJSaveOn@pbwt.com)>

**Cc:** Philippe Selendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; Andrew Dunlap <[adunlap@selendygay.com](mailto:adunlap@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Matthew Nussbaum <[mnussbaum@selendygay.com](mailto:mnussbaum@selendygay.com)>; Elizabeth Snow <[esnow@selendygay.com](mailto:esnow@selendygay.com)>; Galli, Sabrina M. <[SGalli@rc.com](mailto:SGalli@rc.com)>

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)-Motions For Leave to Amend and to Unseal

Evans:

Thanks for your email. As you know, we were under a deadline by the Scheduling Order to file March 14, and expected if we asked you before we filed, you would have requested a copy of the Amended Pleading before responding. It was not finalized until late in the day, which is why I reached out Friday morning, after you received a copy.

We expect you will oppose both motions, and if that is the case, you should tell us now so we can advise the court. If you are earnestly considering not opposing one or the other, we have happy to discuss. I did copy all the Selendy lawyers on my prior email. We look forward to your response today so we can advise the Court.

Thanks  
Jeff

**Jeffrey J. Greenbaum**

Member



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**From:** Jeffrey Greenbaum

**Sent:** Friday, March 15, 2024 12:20 PM

**To:** Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>; LoBiondo, George (x2008) <[globiondo@pbwt.com](mailto:globiondo@pbwt.com)>; Mangi, Adeel A. (x2563) <[aamangi@pbwt.com](mailto:aamangi@pbwt.com)>; Sandick, Harry (x2723) <[hsandick@pbwt.com](mailto:hsandick@pbwt.com)>; Arrow, Sara (x2031) <[sarrow@pbwt.com](mailto:sarrow@pbwt.com)>; Katherine Lieb <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; \_cg J&J-SaveOn <[JJSaveOn@pbwt.com](mailto:JJSaveOn@pbwt.com)>

**Cc:** Philippe Selendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; Andrew Dunlap <[adunlap@selendygay.com](mailto:adunlap@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Matthew Nussbaum <[mnussbaum@selendygay.com](mailto:mnussbaum@selendygay.com)>; Elizabeth Snow <[esnow@selendygay.com](mailto:esnow@selendygay.com)>

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)-Motions For Leave to Amend and to Unseal

Evans:

I am following up on my call to your office this morning to discuss your position on the two motions we filed last night. Those motions are our motion for leave to file an amended complaint, which we filed under seal, and our motion to unseal the motion and proposed Amended Complaint. We are required to advise the Court if the motions will be contested. Please advise of your position later today or let me know if you want to discuss. I want to so advise

the Court no later than Monday, if not today.

Thanks.

Jeff

**Jeffrey J. Greenbaum**

Member



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---

**From:** Elizabeth Snow <[esnow@selendygay.com](mailto:esnow@selendygay.com)>

**Sent:** Thursday, March 14, 2024 6:06 PM

**To:** Long, Julia (x2878) <[jlong@pbwt.com](mailto:jlong@pbwt.com)>; LoBiondo, George (x2008) <[globiondo@pbwt.com](mailto:globiondo@pbwt.com)>;  
Mangi, Adeel A. (x2563) <[aamangi@pbwt.com](mailto:aamangi@pbwt.com)>; Sandick, Harry (x2723) <[hsandick@pbwt.com](mailto:hsandick@pbwt.com)>;  
Arrow, Sara (x2031) <[sarrow@pbwt.com](mailto:sarrow@pbwt.com)>; Jeffrey Greenbaum <[JGREENBAUM@sillscummis.com](mailto:JGREENBAUM@sillscummis.com)>;  
Katherine Lieb <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; \_cg J&J-SaveOn <[JJSaveOn@pbwt.com](mailto:JJSaveOn@pbwt.com)>

**Cc:** Philippe Selendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; Andrew Dunlap <[adunlap@selendygay.com](mailto:adunlap@selendygay.com)>;  
Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>;  
Matthew Nussbaum <[mnussbaum@selendygay.com](mailto:mnussbaum@selendygay.com)>

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

**\*\*\* External Email \*\*\***

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Counsel,

We asked for a response to the attached letter more than a week ago. Please provide a response as promptly as possible.

Thanks,

Elizabeth

**Elizabeth Snow**

Associate [[Email](#)]

Selendy Gay PLLC [\[Web\]](#)

Pronouns: she, her, hers

-----

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+1 540.409.7257 [M]

---

**From:** Elizabeth Snow

**Sent:** Friday, March 8, 2024 9:16 AM

**To:** Long, Julia (x2878) <[jlong@pbwt.com](mailto:jlong@pbwt.com)>; LoBiondo, George (x2008) <[globiondo@pbwt.com](mailto:globiondo@pbwt.com)>; Mangi, Adeel A. (x2563) <[aamangi@pbwt.com](mailto:aamangi@pbwt.com)>; Sandick, Harry (x2723) <[hsandick@pbwt.com](mailto:hsandick@pbwt.com)>; Arrow, Sara (x2031) <[sarrow@pbwt.com](mailto:sarrow@pbwt.com)>; [jgreenbaum@sillscummis.com](mailto:jgreenbaum@sillscummis.com) <[jgreenbaum@sillscummis.com](mailto:jgreenbaum@sillscummis.com)>; [klieb@sillscummis.com](mailto:klieb@sillscummis.com) <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; \_cg J&J-SaveOn <[JJSaveOn@pbwt.com](mailto:JJSaveOn@pbwt.com)>

**Cc:** Philippe Selendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; Andrew Dunlap <[adunlap@selendygay.com](mailto:adunlap@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>; Matthew Nussbaum <[mnussbaum@selendygay.com](mailto:mnussbaum@selendygay.com)>

**Subject:** RE: JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Counsel,

We asked for a response to the attached letter on March 6, 2024. Please provide a response as promptly as possible.

Thanks,

Elizabeth

**Elizabeth Snow**

Associate [\[Email\]](#)

Selendy Gay PLLC [\[Web\]](#)

Pronouns: she, her, hers

-----

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---

**From:** Elizabeth Snow

**Sent:** Wednesday, February 28, 2024 5:08 PM

**To:** Long, Julia (x2878) <[jlong@pbwt.com](mailto:jlong@pbwt.com)>; LoBiondo, George (x2008) <[globiondo@pbwt.com](mailto:globiondo@pbwt.com)>; Mangi, Adeel A. (x2563) <[aamangi@pbwt.com](mailto:aamangi@pbwt.com)>; Sandick, Harry (x2723) <[hsandick@pbwt.com](mailto:hsandick@pbwt.com)>; Arrow, Sara (x2031) <[sarrow@pbwt.com](mailto:sarrow@pbwt.com)>; [jgreenbaum@sillscummis.com](mailto:jgreenbaum@sillscummis.com) <[jgreenbaum@sillscummis.com](mailto:jgreenbaum@sillscummis.com)>; [klieb@sillscummis.com](mailto:klieb@sillscummis.com) <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; \_cg J&J-SaveOn <[JJSaveOn@pbwt.com](mailto:JJSaveOn@pbwt.com)>

**Cc:** Philippe Selendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; Andrew Dunlap <[adunlap@selendygay.com](mailto:adunlap@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Wohlforth, E. Evans <[EWohlforth@rc.com](mailto:EWohlforth@rc.com)>; Matthew Nussbaum <[mnussbaum@selendygay.com](mailto:mnussbaum@selendygay.com)>



**Subject:** JJHCS v. SaveOnSP (Case No. 2:22-cv-02632-JKS-CLW)

Counsel,

Please find attached a letter in the above-captioned matter.

Thanks,

Elizabeth

**Elizabeth Snow**

Associate [\[Email\]](#)

Selendy Gay PLLC [\[Web\]](#)

Pronouns: she, her, hers

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